

MAXWAY INTERNATIONAL CO., INC.

Plaintiff(s)

Index # 07 CV 3634 (MCKENNAN)

- against -

Purchased May 8, 2007

PEPSICO, INC.

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

JEFF CAMPOLO BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 12, 2007 at 11:27 AM at

700 ANDERSON HILL ROAD
PURCHASE, NY10577

deponent served the within SUMMONS & AMENDED COMPLAINT on PEPSICO, INC. therein named,

CORPORATION a DOMESTIC corporation by delivering thereat a true copy of each to KATHY HENRY personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & AMENDED COMPLAINT as said Defendant and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx)</u>
<u>FEMALE</u>	<u>WHITE</u>	<u>BLONDE</u>	<u>35</u>	<u>5'9</u>	<u>180</u>

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: June 13, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Comm. Expires February 10, 2010

MICHAEL SMITH
Notary Public, State of New York
No. 01SM4997428
Qualified in New York County
Comm. Expires June 8, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010

JEFF CAMPOLO

Invoice #: 441762

MAXWAY INTERNATIONAL CO., INC.

Plaintiff(s)

Index # 07 CV 3634 (MCKENNAN)

- against -

Purchased May 8, 2007

PEPSICO, INC.

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on June 18, 2007 at 08:10 AM at

SECRETARY OF STATE
ALBANY, NY

deponent served the within SUMMONS & AMENDED COMPLAINT on PEPSICO, INC. therein named,

SECRETARY OF STATE a corporation by delivering two true copies to DONNA CHRISTIE, LEGAL CLERK personally, deponent knew said corporation so served to be the corporation described in said summons as said Defendant and knew said individual to be AUTHORIZED to accept thereof.

Service upon the N.Y.S. Secretary of State under Section 306 of the Business Corporation Law and tendering the required fee.

Deponent further states that he describes the person actually served as follows:

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age (Approx.)</u>	<u>Height (Approx.)</u>	<u>Weight (Approx.)</u>
<u>FEMALE</u>	<u>WHITE</u>	<u>BLONDE</u>	<u>35</u>	<u>5'5</u>	<u>140</u>

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: June 18, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Comm. Expires February 10, 2010

MICHAEL SMITH
Notary Public, State of New York
No. 01SM4997428
Qualified in New York County
Comm. Expires June 8, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010


STEVEN C. AVERY

Invoice #: 441764

ORIGINAL**United States District Court**

SOUTHERN

DISTRICT OF

NEW YORK

MAXWAY INTERNATIONAL CO.,
INC.,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

PEPSICO, INC.

07 CV 3634TO: PepsiCo, Inc.
700 Anderson Hill Road
Purchase, New York 10577**JUDGE McKENNA****YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)KANE KESSLER, P.C.
Dana M. Susman, Esq.
Jeffrey H. Daichman, Esq.
1350 Avenue of the Americas
New York, New York 10019

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Manos Quintero

(BY) DEPUTY CLERK

MAY 08 2007

DATE